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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,318	02/02/2001	Paul S. Christian	32262	9344

7590 06/18/2002

PEARSON & PEARSON  
10 GEORGE STREET  
LOWELL, MA 01852

EXAMINER

LAM, THANH

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 06/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <b>09/776,318</b>	Applicant(s) <b>Christian et al.</b>	
	Examiner <b>Thanh Lam</b>	Art Unit <b>2834</b>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.

- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.

- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.

- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)  Responsive to communication(s) filed on Elect. filed on 4/24/2002

2a)  This action is **FINAL**.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4)  Claim(s) 1-23 is/are pending in the application.

4a) Of the above, claim(s) 18-23 is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-17 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on Feb 2, 2001 is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____	6) <input type="checkbox"/> Other: _____

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## **DETAILED ACTION**

### ***Drawings***

1. Figure 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated in the specification of page 17, lines 8-9. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by prior art (figs. 1-2).

Prior art ( fig. 1-2) disclose a compression journal comprising: at least two circularly shaped segments; a cylindrical shaft having said circularly shaped segments positioned around said shaft; and means, positioned around the outside of said segments, for maintaining electrical contact between said segments and said cylindrical shaft.

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Regarding claim 8, (see figs 1-2 and 10) disclose a rotary joint comprising: a rotor assembly (62) having a housing and a shaft (65) extending outward from a center portion thereof; a stator assembly (64) having a cylindrical opening for receiving said shaft of said rotor assembly, the housing of said rotor assembly being secured within a housing of said stator assembly; a cavity in said stator assembly for receiving at least two circularly shaped segments positioned around said shaft of said rotor assembly; and around the outside of said segments for means positioned maintaining electrical contact between said segments and said shaft of said rotor assembly.

Regarding claim 4, said journal comprises a shield for securing said journal within a stator assembly and blocking RF signal leakage.

Regarding claim 5, said means for maintaining electrical contact between said segments and said cylindrical shaft comprises a rubber O-ring.

Regarding claim 6, said means for maintaining electrical contact between said segments and said cylindrical shaft comprises a conductive O-ring.

Regarding claim 7, said compression journal is positioned within a rotary joint.

Regarding claim 9, said rotary joint comprises a shield, having an opening for said shaft to pass therethrough, positioned against an end of said circularly shaped segments for securing said segments within said cavity of said stator.

Regarding claim 10, said shield provides a ground connection between said circularly shaped segments and said stator housing.

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Regarding claim 13, said means for maintaining electrical contact between said segments and said shaft comprises a rubber 0-ring.

Regarding claim 14, said means for maintaining electrical contact between said segments and said shaft comprises a conductive 0-ring.

15. The rotary joint as recited in Claim 8 wherein said cavity of said stator assembly comprises a channel having a predetermined width within said cavity for receiving said means for maintaining electrical contact between said segments and said shaft.

Regarding claim 16, said housing of said rotor assembly comprises a bearing ring positioned around an outer end portion of said housing to facilitate rotation of said rotor assembly when positioned within said stator assembly.

Regarding claim 17, said rotor assembly comprises a first capacitive feed ring through which said shaft extends and said stator assembly comprises a second capacitive feed ring through which said shaft passes, said first capacitive feed ring being disposed in close relationship to said second capacitive feed ring when said rotor assembly is positioned within said stator assembly.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior

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art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2-3, and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over prior art (fig. 1-2 and 10) in view of Johnson et al.

Prior art disclose all the aspect of the claimed invention except the segments comprising silver graphite material.

Johnson et al. disclose segments comprising silver graphite material for the purpose of good conducting electrical current.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the segments of prior art and substitute the silver graphite material as taught by Johnson in order to improve conducting electrical current of the journal.

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***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Note of Reference Cited PTO- 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3432.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.



Thanh Lam

Patent Examiner